

TIVERTON TOWN COUNCIL AGENDA

Tiverton Town Hall

343 Highland Road

Tiverton, Rhode Island 02878

Regular Meeting: Monday, January 13, 2014 at 7:00 p.m.

NOTE: Individuals requesting interpreter services for the hearing impaired must contact the Town Clerk's Office at 343 Highland Road or call (401) 625-6704 forty-eight (48) hours in advance of the meeting date.

DATE POSTED: 01-10-2014

1. PLEDGE OF ALLEGIANCE TO THE FLAG

2. ROLL CALL

Edward Roderick-President

Denise M. deMedeiros-Vice President

James J. Arruda

Joan B. Chabot

William P. Gerlach

Jay J. Lambert

Brett N. Pelletier

3. APPROVAL OF CONSENT AGENDA

All items listed with a (CA) are to be considered routine by the Town Council and will be enacted by one motion. There will be no separate discussion of these items unless a member of the Council, or a member of the public so requests, in which event the item will be removed from Consent Agenda (CA) consideration and considered in its normal sequence on the agenda.

4. A. BUSINESS BROUGHT BEFORE THE COUNCIL

CONSENT AGENDA:

(C.A.) 1. a. Approval of Minutes Regular Council Meeting December 9, 2013

Councilor deMedeiros Abstained - Absent

(C.A.) 2. Receipt of Minutes from the Following Boards, Commissions

a. Arts Council (2)

b. Board of Canvassers (3)

c. Conservation Commission (3)

d. Economic Development Commission (2)

e. Fogland Beach Oversight Committee (4)

f. Historic Preservation Advisory Board (3)

g. Library Board of Trustees (7)

h. Recycling/Landfill Committee (2)

i. Wastewater Management Commission (6)

j. Zoning Board of Review (3)

k. Planning Board (5)

l. Cemetery Commission

m. Harbor Commission (11)

(C.A.) 3. Correspondence – Receive and File

a. Prevention Coalition December News Letter

b. William J. Rearick, Superintendent of Schools-Newport County High School Proposal

c. Representative John Edwards- Meals and Beverage Tax Distribution through First Quarter FY 2014

d. State Planning Council – Public Notice-Rhode Island State Rail Plan

e. National Grid-Public Awareness-Safety Brochure

(C.A.) 4. Denise Saurette, Treasurer – Distribution of November Budget and Revenue Reports

(C.A.) 5. Kate Michaud – Administrative Officer Report of Activities for December 2013

(C.A.) 6. Barbara Pelletier, Tiverton Representative-Report from November 19th Discover Newport Meeting

(C.A.) 7. Chief Lloyd – Request Permission to Advertise to Create Potential Hiring List for Probationary Fire Fighters

- (C.A.) 8. Rosalind Weir, Main Road Properties, Inc.- Request Rezoning of Plat 706, Lot 106 from R80 to VC (Village Commercial) – Referred to Planning Board
- (C.A.) 9. Rosalind Weir, Four Corner Properties, LLC- Request Rezoning of Plat 706, Lot 107 from R80 to VC (Village Commercial) – Referred to Planning Board
- (C.A.) 10. Distribution of Department Head Monthly-December Report

A-11 –William J. Rearick, Superintendent of Schools - Request for Dedication of School Facilities

A-12- OPEN PUBLIC FORUM FOR ANNOUNCEMENTS, COMMENTS, QUESTIONS

B –PUBLIC HEARINGS & PUBLIC PRESENTATIONS

1. Paul Dansereau, Baxter Dansereau & Associates, LLP - Presentation of the FY Ending June 30, 2013 Financial Report
2. Interim Administrator – Request Approval of Police Pension Investment Advisor/Administrator Services to Washington Trust Company, Providence, RI as Recommended by Police Pension Board

C. TOWN COUNCIL SITTING AS BOARD OF LICENSING
ADVERTISED PUBLIC HEARINGS

1. Hess Gas Station #39211, 1308 Stafford Road – Request to Expand Victualling License to Operate Between 2:00 AM and 6:00 AM (24 Hours) – Public Hearing Continued From December 13, 2013 - Subject to Meeting All Legal Requirements
 - a. Recommendation of Chief Thomas Blakey

D - APPOINTMENTS & RESIGNATIONS:
NEW REQUESTS FOR APPOINTMENT FOR BOARDS WITH VACANCIES

1. Street Advisory Committee – One Vacancy – Term Expiring 01/12/2015
James O'Dell, 130 Warren Ave.
2. Comprehensive Plan Advisory Committee, Kate Michaud – Request Appointment of Committee Chairman, Stephen Hughes, Vice Chairman, Cecil Leonard and Secretary, Kate Michaud

E - UNFINISHED BUSINESS:

F – FINANCIAL BUSINESS

1. Approval of Three Year Revenue Projections to Forward to School Department
2. Interim Administrator – Fire Chief Robert D. Lloyd
 - a. Request Approval of Annual Salary Increase Effective January 4, 2014
From \$79,647 to \$81,240 (2%)
3. Interim Administrator – DPW Director Steven Berlucchi
 - b. Request Approval of Annual Salary Increase Effective January 7, 2014
From \$82,400 to \$84,048 (2%)
4. Approval of Preliminary Municipal Budget FY 2014-15 Being Forwarded to Budget Committee

G - NEW BUSINESS:

1. Tiverton Planning Board – Request Acceptance by the Town of the Constructed Portion of West DeMello Drive
 - a. Planning Board Recommendation
2. Barbara Pelletier, Placing Paws- Request Additional Dog Waste Collections Stations Near the Nanaquaket Bridge and Vicinity of Main Fire Station

H – BIDS AND REQUESTS FOR PROPOSALS

I - TOWN ADMINISTRATOR ITEMS AND ANNOUNCEMENTS

1. Distribution of Church Community Block Grant Approval for 2014

J – COUNCIL ANNOUNCEMENTS, COMMENTS AND QUESTIONS

K – TOWN SOLICITOR – ITEMS AND ANNOUNCEMENTS

1. Tiverton v James Pelletier (Tiger Tree) – DEM Suspension Notice

L- TOWN CLERK ITEMS AND ANNOUNCEMENTS

5. CLOSED EXECUTIVE SESSION

1. Town Administrator–Personnel Performance–42-46-5(a)(1)–Gareth Eames–Code Enforcement Officer – Notice Given
2. Town Solicitor – 42-46-5(a)(2) - Litigation – Town Solicitor Quarterly Litigation Report
3. Town Solicitor – 42-46-5 (a)(2) - Opinion Letter to Auditor
4. Town Solicitor - 42-46-5(a)(4) – Investigation – Maintenance Foreman
5. Town Solicitor–42-46-5(a)(2) – Litigation - Larry Faulkner vs. Town of Tiverton – C.A. No: NC-13-0443
6. Town Solicitor – 42-46-5(a)(2) – Litigation - LAL Construction Co., Inc. v. Town of Tiverton
7. Solicitor –42-46-5(a)(5) - Acquisition of Real Property for Public Purposes – Stone Bridge Gas Station

A portion of this meeting may be held in executive session pursuant to the Open Meeting Law, Section 42-46-5(a) of the General Laws of Rhode Island, 1956 (1986 Reenactment), as amended

6. ADJOURNMENT Pursuant to RIGL §42-46-6(b). Notice – “Nothing contained herein shall prevent a public body, other than a school committee, from adding additional items to the agenda by majority vote of the members. Such additional items shall be for informational purposes only and may not be voted on except where necessary to address an unexpected occurrence that requires immediate action to protect the public or to refer the matter to an appropriate committee or to another body or official.”